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Educational Government Gentlemen [illegible]

The Constitution of East Florida.

Preamble.

The people of the province of East Florida have lived for years under a bondage almost unsupportable, and although many of them have left, and all of them have witnessed the happiness which their neighbours, driven from them only by the rivers of Mayo, experienced, they remained in this abject State, & exile of their relations until they discovered that new attempts were made to oppress and degrade them. It might have been expected that a people who neither idolized their chains nor could think it an honour to wear the cast-off shoes of kings, but were known that man in whatever garment he might be clothed, was the same, liable to all the imperfections & weaknesses of our common nature, would readily accept a form of authority which would secure to the [illegible] Planters, to [illegible] declared Freeholders the ease and enjoyment, which our brethren of the South judge the honour and with the highest [illegible] which them Freedom.—

Aware of the dangers ever attendant on revolutions, it was not until after mature deliberation that the people of East Florida took up arms against a Government, whose Subjects in both Hemispheres were friends, Emissaries and Revolutionizers, & who could no longer afford that protection, without which allegiance cannot be claimed, without enumerating the many impolitic & oppressive Laws & Facts of the Spanish Government which the unhappy [illegible]

[illegible] under [illegible] can be [illegible] in [illegible] which our [illegible] the one in the [illegible] of [illegible] with brutal violence and the other in that of [illegible] with the most shocking corruption [illegible] by [illegible] upon us, we have discovered in order that our degradation might be complete, that we have been offered with our country for sale to both the great belligerents of Europe, Nations and Governments bribed to the evils we have endured from our fellows, we declare ourselves free and independent and we have driven our oppressors with [illegible] mercenaries within the walls of the theatre of their acts, and over the decrees of their usurpation.

We acknowledge with gratitude the kindness of the French Legislature of the [illegible] for the mercies which [illegible] upon us and we [illegible] through his providence shortly to become a [illegible] and [illegible] Government, [illegible] Government [illegible] in this Province to prevent anarchy & Confusion therefore be it declared by the Governor and Council of the said Province and assembled by the [illegible] authority of the same that from and after the passing of this Act the Province of Saskatchewan shall be [illegible] and [illegible] in manner and form following to wit

Article 1st

The Province of Saskatchewan shall be separate and distinct from all other Provinces in the Dominion and the [illegible] shall be the same as the other Provinces of the Dominion

Except that the Judges of the Inferior Courts and Justices of the Districts shall be Eligible to the Legislative Council.

2d. The Legislative Authority shall be composed of fifteen members to be called the Legislative Council of East Florida.

3. The members of the Legislative Council shall be Elected by the inhabitants of this Province as hereinafter, and by this Constitution shall Exercise until the Territory shall be received by the United States, and become Subject to the Laws thereof, and other Officers in manner & form as the Governor of the United States.

4th. No person shall be a member of the Legislative Council who shall not be a Subject of the King of Great Britain, and have resided in this Province for the space of one year previous to the first day of April next, and shall have been a settled Inhabitant of the Province three years previous to his Election, and shall be seized in his own right of a freehold of one thousand acres of land within the same, and shall be resident within the Province at the time of his Election.

5th. No Person who shall hereafter be concerned in the Duelling with the people of East Florida, and who shall be convicted of having given or accepted a challenge to fight a Duel, or who shall knowingly carry a challenge, shall be capable of holding a seat in the Legislative Council.

6th. No Person who shall hereafter be concerned in the Duelling with the people of East Florida, and who shall be convicted of having given or accepted a challenge to fight a Duel, or who shall knowingly carry a challenge, shall be capable of holding any Office of Profit or Trust in this Province.

7th. The Members of the Legislative Council shall be chosen by the Electors, to be chosen by the Inhabitants of the several Districts, to be hereafter described, on the first Monday in October next, and every year thereafter, commencing on the second day of the said month and continuing

[illegible] Stream according to the Ancient Boun-
-dary. The North District to send Eight-mem-
-bers and the South District to send seven members.

7th. No person shall be Eligible to a Seat in Coun-
-cil unless he is a free white man of the age of
twenty one years and hath been a former Inhabi-
-tant of this Territory or has been an actual resident in
the Country one year previous to the first day of Sept-
-ember next. And Considered Exempt from actual Residence at
the Revolution nor unless he be a Freeholder Legally seis-
-ed and possessed in his own Right of a fifty Acre Plat or
settlement Right to the Value of one hundred
Dollars.

8th. The Legislative Council shall be chosen on the
second Tuesday in October annually and the first annual
Election shall be held on the second Tuesday in October
next at the several Districts by Ballot. The Legislative Council
(not less than 2 thirds of the Legislative Council)
shall convene on the first Monday in November next at
the Seat of Government by the name of the Governor and
Legislative Council of the Territory of the United States
South of the River Ohio and they shall have full power
within the limits of the Territory to Elect a Delegate
to Congress who shall have a seat in Congress with a
right of debating but not of voting during this Session
and shall receive the same allowance as the Members of the
General Assembly. But no Session shall be held at any
other time or place than as herein directed or such as
may hereafter be appointed by Law. The Governor
shall within six days after the passing of every Act
of the Legislative Council transmit to the President
of Congress a Copy thereof and every Act or Resolution
of the Council shall take Effect within Ninety days
after the same shall have been passed unless disapproved
of by Congress. But in case the Governor shall on
any Act or Resolution of the Legislative Council
or on any two Acts or Resolutions of the same Session
disapprove the same he shall by Proclamation declare
the Disapprobation and the Reasons thereof and the
Act or Resolution so disapproved of shall be void
and of no Effect. And in case the Governor shall
not within the Space of ten days (Sundays excepted)
after the Council shall have passed any Act or Resolution
return the same with his Objections to the Legislative
Council he shall be considered as approving the same
and the same shall have the Force of Law unless
the Legislative Council by their Adjournment shall
prevent such return in which case the Act or Resolution
shall not be a Law unless the Governor shall within
three days after the next Session of the Legislative
Council shall have passed the same give his Assent
thereto. And in case the Governor shall neglect or
refuse to Assent to any Act or Resolution so passed
at the next Session of the Legislative Council after
the Governor shall have neglected or refused to Assent
to the same such Act or Resolution shall be a Law
unless disapproved of by Congress. The Governor
shall have Power to grant Reprieves and Pardons
except in Cases of Impeachment and shall Commission
all Officers not otherwise directed by this Ordinance
or by Law. The Governor shall appoint all Officers
not otherwise directed by this Ordinance or by Law.
The Governor shall appoint all Officers not otherwise
directed by this Ordinance or by Law. The Governor
shall appoint all Officers not otherwise directed by this
Ordinance or by Law. The Governor shall appoint all
Officers not otherwise directed by this Ordinance or by
Law. The Governor shall appoint all Officers not
otherwise directed by this Ordinance or by Law. The
Governor shall appoint all Officers not otherwise directed
by this Ordinance or by Law. The Governor shall

thereof, and proceed to reconsider the said Bill or Resolution, but after such reconsideration two thirds of the Council present shall, notwithstanding such objection agree to pass the same, it shall have the force of Law

10th The Council shall have full power & authority to erect and constitute Judicatory and Courts of Record or other Courts to be held in the name of the Territory for the hearing trying and determining all manner of Crimes, offences, pleas, processes, plaints actions, matters, & things whatever arising or happening within the Territory, or between or concerning persons inhabiting, residing, or brought within the same, whether the same be Criminal or Civil, and whether the said pleas be real, personal or mixed and for the awarding and making out Execution thereupon to which Courts and Judicatories are hereby given and granted full power and authority from time to time to administer oaths, or affirmations for the better discovery of truth in any matter in Controversy or depending before them.

11th And further, full power and authority is hereby given and granted to the said Legislature (Council from time to time to make ordain & establish all manner of wholesome & reasonable Laws, Statutes and ordinances, Directions and instructions either with penalties or without (so as the same be not repugnant to the Constitution) as they shall judge to be for the welfare and happiness of the Territory, and for the Government and ordering thereof; and of the Courts & the same and for the necessary support and defence of the Government thereof, and to name and appoint as is hereafter mentioned, all Civil & military

Officers of this Territory, and the forms of such
Oaths and affirmations as may respectively be ad-
ministered unto them for the Execution of their several
Offices & places, so as the Same be not repugnant to the
Constitution of this Public Territory, and to impose
& Levy all proportional, and reasonable Assessments
Rates and Taxes upon all the Inhabitants of, and Per-
sons resident within the said Territory and also to im-
pose & Levy reasonable duties and Excises upon any
produce goods, wares, merchandize & Commodities what-
soever brought into, produced, manufactured, or being
within the Same, to be issued & disposed of by
Warrant under the hand of the Governor of this
Territory, with the advice and Consent of the
Legislative Council, for the Public Service in the
necessary defence & Support of the said Territory
& the protection & preservation of the Citizens
thereof according to such acts as are & Shall be in
force within the Same. ——

Art 12 The Legislative Council Shall be a Court with
full authority to hear & determine all impeachments
made by the Governor & by any Petty & the people
of the Territory against any officer or officers of
this Territory for misconduct or maladministration
in their office. But previous to every Impeach-
ment the members of the Council Shall respectively
swear truly and impartially to try & determine
the Charge in question, according to Evidence
their Judgement therein which must Consist of
at least two thirds of the members present, Shall
not Extend further than removal from office un-
der this Territory, but the party so Convicted
Shall be nevertheless liable to Indictment, Trial
Judgment & punishment according to the laws of
this Territory or those of the United States.

13th The Legislative Council shall appoint its President from their own body, and shall Judge of the Qualifications, returns and Elections of its own members & may determine the Duty of their own proceedings punish their members for disorderly Conduct, and with the Consent of two thirds of the members present Expel a member ——

14th The members of the Legislative Council shall take the following oath, I do solemnly Swear that I will give my vote on all questions that may come before me as a representative of the people, in such a manner as in my Judgment may best promote the good of this Territory, & that I will bear true faith and allegiance to the U.S. to the utmost of my power, defence, Support, & defend the same. ——

15th All officers immediately attached to the Government of the Territory, as Secretary, Treasurer &c and all officers attached to the Judiciary as Judges of the Superior & Inferior Courts, Justices of the peace Attorney General Sheriff & Coroner & all military officers but Captains & Subalterns shall be chosen by the Legislative Council with the Consent of the Senate, But should the Director dissent to any such appointment it shall nevertheless be Confirmed by the Concurrence of two thirds of the members present. ——

Article 1.

1st The Executive of the Territory of East Florida shall be vested in a Director who shall hold his office until the Country shall be received by the United States & become subject to our laws

And Regulations, he Shall be Elected by a majority of the Votes present, and at the same time and in the same manner, as the Legislative Council; and Should no person have a majority of the Votes present, the Legislative Council Shall have full power to elect - him by Ballot provided that he is not a member of their own body. —

2° No person Shall be eligible to the office of Governor who Shall not have been an actual part in the Revolution of this ~~Country~~ Country & who hath not attained to the age of thirty years & who doth at this time possess five hundred acres of Land in his own Right within the Territory or other Species of property to the amount of fifteen hundred Dollars

3° In case of Death Resignation disability or necessary absence of the Governor the President of the Legislative Council Shall Exercise the Executive powers of Government until such disability or necessary absence be removed —

4th He Shall be Commander in Chief in & over the Territory of East Florida, and of the Militia thereof. He Shall have power to grant Reprieves for offences against the Territory except in Cases of impeachment, and to grant pardons in all Cases after Conviction Except for Treason or murder, in which Case he may respite the Execution, and make a report thereof to the Legislative Council, by whom a pardon may be granted. —

5th He Shall issue writs of Election to fill all vacancies that may happen ~~happen~~ in the Legislative Council, & Shall have power to convene the Legislative Council on Extraordinary occasions

and Shall give them from time to time information of the State of the Territory & recommend to their consideration such measures as he may deem necessary & Expedient.

5th He Shall have the Revision of all Bills, Resolves and appointments past by the Legislative Council before the same be valid or becomy a Law, But two thirds of the Legislative Council present may pass a Law or make an appointment, notwithstanding his dissent, or Should he not inform the Legislative Council within three days after the same Shall be presented to him the same Shall be Considered valid as if he had received his Signature. ——

7th The Great Seal of the Territory Shall be deposited in the Office of Secretary & it Shall not be affixed to any instrument of writing without it be by order of the Governor & Legislative Council. ——

8th All persons who Shall be chosen or appointed to any office of trust before Entering on the Execution thereof Shall take the following oath or affirmation, I do Solemnly Swear or affirm (as the Case may be) that I will to the best of my ability discharge the duties of the office to which I am appointed & preserve, protect & defend the Constitution of this Territory. ——

9th The Trial by Jury & freedom of the press Shall be held inviolate. —

10th All persons Shall be Entitled to the benefit of the writ of Habeas Corpus

Article 3

1 The Inhabitants of the Territory of East Florida being generally better acquainted with

the Laws of the State of Georgia than to the
States the Laws of this said State and of the
United States shall be Considered as the Laws
of this Territory as far as they agree with the
Constitution of the same — and untill altered
by the Legislative Authority. —
2. The Legislative Council shall have power to
Confirm all the Resolutions and ordinances of the
Constituted Authority which have or may have
been prior to the Session of the Legislative Council —
3. No person who hath been Convicted of felony
before any Court of the United States, shall be
Eligible to any office or appointment of Honor
profit or trust within this Territory. —
4th The Legislative Council with the advice &
Consent of the Directs, shall have power in
all Cases to make Reasonable Compensation to all
Public officers in such manner as they may by
law direct. —

This form of Government was agreed to
and passed the Seventeenth of July one thousand
Eight hundred & twelve, in Convention of the
Delegates of the freemen of East Florida. How
it is Expressly & unequivocally & unanimously
Declared by them, that it is intended to Exist
& be in operation only untill the United States
shall acknowledge this Territory as a part of
the United States. And they have full
Confidence, that the Justice of the United States
will direct them to ratify the Treaty of Session
made between the Commissioners of this Territory

and their Agents; and that they will al-
Enable the people of this Territory to fulfil
such Contracts as their necessities and pecu-
liar situation
have or may oblige them hereafter to make

John H McIntosh President
Jos.h Ashley
Ed. Hollingsworth
Nath.l Hall
Z. Humphreys
Jno. F. Miller
Peter C. Houston
R. Harris
Nathaniel Mason
William Braddock
William F. Christopher
Wm Crain
John D. Braddock
Hugh Pillings

H. Hamilton
Sec.y

administration and then for the over-
throw of the Government as established by the Constitution of the
United States and for the establishment of the Confederate
States of America and the Constitution adopted for the
government thereof and to that end to enter into any
combination, conspiracy or agreement with any person
or persons whomsoever, and particularly with
such officers, soldiers, agents and employees
of the United States as should thereafter
desert the service of the United States and
join the Confederate States of America
and to procure and induce as many officers
and soldiers of the United States as he could
to desert the service of the United States
and enter the service of the Confederate States
of America and to induce as many officers
and soldiers of the United States as he could
to violate their oaths of office and their
duty as officers and soldiers of the United States
and to betray the trust reposed in them
by the United States and to perform
such other unlawful acts as he could
to weaken the military power of the United
States and strengthen the military power
of the Confederate States of America
and to induce as many persons as he could
to do the things aforesaid and to
commit other unlawful acts for the
purpose of aiding the rebellion against
the United States.

oaths or affirmations

administration and shall be exercised by several officers and shall be so distributed as to afford a reasonable check upon each other and to secure a prompt and faithful administration of the laws and shall at no time exercise any power or perform any duty not herein authorized or provided for nor shall any officer thereof receive any fee or reward for the performance of any official duty except his salary or compensation provided by law and no officer shall be interested directly or indirectly in any contract with the County or City for the performance of any work or the furnishing of any supplies or materials for the use of the County or City according to such rules and regulations as may be prescribed by law. No officer of the County or City shall be interested directly or indirectly in any contract with the County or City for the performance of any work or the furnishing of any supplies or materials for the use of the County or City except upon competitive bidding as provided

§ 8th The Legislative Council shall be convened at least two times in every year on the first Monday in July and shall assemble at such convenient place within this Province as the Governor shall appoint by Proclamation and shall be called by the Governor as often in the interval of Parliament as he shall think fit.

§ 9th The Governor shall have power to prorogue and dissolve the Council whenever he shall think fit.

§ 10th Every bill which shall have passed the Council and shall have been assented to by the Governor shall within two days after the passing thereof be laid before the Council by the Governor or Person administering the Government for the time being for their disallowance.

§ 11th The Governor shall have power to recommend to the Council any bill which he shall think fit to be passed and every bill which shall be passed by the Council and assented to by the Governor shall be subject to disallowance by Her Majesty Her Heirs or Successors in Council.

§ 12th The Council shall have full power and authority to erect, constitute, [illegible]

[illegible] enumerating the many inj[illegible]
[illegible] oppressive laws and acts of the Britan[illegible]
[illegible] enumerated which the unhappy man therein mi[illegible]
[illegible] may can be pursuaded with and attack our Britan[illegible]
the one in the character of Governor with brutal in[illegible]
to threats; and the other in that of Judge with the most
threatning corruption, latterly enforced upon us, to
the discontent in order that our representations
may not be complete, that we have been offered
with our Country for sale to basest the great
Sovereigns of Europe.

Manufactures and mechanic[illegible] yielded to the duties on accou[illegible]
ourselves and our Posterity, we declared ourselves Free
and Independent and our Laws dissolved our Political
connection with their parliament within the walls
of the Theatre of their own City and drew the
Instrument of these mentioned Declarations — We solemnly
declare with grateful hearts the goodness of the great
Legislator of the Universe, for the Liberties already
afforded us, and on Lake through his Providence
shortly to become a Territory of the United States,
that until it can be our future and least object
that we are Citizens of a Territory of the United
States and under their laws and regulations of that
Government & become legally necessary that an
Political Assembly be established in this Territory
to make Laws necessary and Conformable therefore in the
Republic of the free people of that Territory and
Laws necessary for their Exclusive Jurisdiction of
making a Constitution under the Authority of
the People, as nearly that a Government for
this Territory might be established in manner as
prescribed by the Ordinance of

The Constitution of Canada

Preamble

Copy
Constitution of
East Florida
adopted by the
Revolutionists of
1812.

(Foreign affairs)